

Assembly Constitutional Amendment

No. 35

Introduced by Assembly Member Fuller

February 19, 2010

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article IV thereof, relating to the Legislature.

LEGISLATIVE COUNSEL'S DIGEST

ACA 35, as introduced, Fuller. Legislature: procedure.

Existing provisions of the California Constitution provide that the Legislature may make no law except by statute and may enact no statute except by bill. The California Constitution specifies no limit as to the number of bills that each Member of the Legislature may introduce.

This measure would limit the number of bills that each Member of the Legislature may introduce, to not more than 10 bills during a regular session and not more than 5 bills during a special session.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

- 1 *Resolved by the Assembly, the Senate concurring,* That the
- 2 Legislature of the State of California at its 2009–10 Regular
- 3 Session commencing on the first Monday of December 2008,
- 4 two-thirds of the membership of each house concurring, hereby
- 5 proposes to the people of the State of California that the
- 6 Constitution of the State be amended as follows:
- 7 That Section 8 of Article IV thereof is amended to read:

1 SEC. 8. (a) At regular sessions no bill other than the budget
2 bill may be heard or acted on by committee or either house until
3 the 31st day after the bill is introduced unless the house dispenses
4 with this requirement by rollcall vote entered in the journal, ~~three~~
5 ~~fourths~~ *three-fourths* of the membership concurring.

6 (b) The Legislature may make no law except by statute and may
7 enact no statute except by bill. No bill may be passed unless it is
8 read by title on ~~3~~ *three* days in each house except that the house
9 may dispense with this requirement by rollcall vote entered in the
10 journal, ~~two-thirds~~ *two-thirds* of the membership concurring. No
11 bill may be passed until the bill with amendments has been printed
12 and distributed to the members. No bill may be passed unless, by
13 rollcall vote entered in the journal, a majority of the membership
14 of each house concurs.

15 (c) (1) Except as provided in paragraphs (2) and (3) ~~of this~~
16 ~~subdivision~~, a statute enacted at a regular session shall go into
17 effect on January 1 next following a 90-day period from the date
18 of enactment of the statute and a statute enacted at a special session
19 shall go into effect on the 91st day after adjournment of the special
20 session at which the bill was passed.

21 (2) A statute, other than a statute establishing or changing
22 boundaries of any legislative, congressional, or other election
23 district, enacted by a bill passed by the Legislature on or before
24 the date the Legislature adjourns for a joint recess to reconvene in
25 the second calendar year of the biennium of the legislative session,
26 and in the possession of the Governor after that date, shall go into
27 effect on January 1 next following the enactment date of the statute
28 unless, before January 1, a copy of a referendum petition affecting
29 the statute is submitted to the Attorney General pursuant to
30 subdivision (d) of Section 10 of Article II, in which event the
31 statute shall go into effect on the 91st day after the enactment date
32 unless the petition has been presented to the Secretary of State
33 pursuant to subdivision (b) of Section 9 of Article II.

34 (3) Statutes calling elections, statutes providing for tax levies
35 or appropriations for the usual current expenses of the State, and
36 urgency statutes shall go into effect immediately upon their
37 enactment.

38 (d) Urgency statutes are those necessary for immediate
39 preservation of the public peace, health, or safety. A statement of
40 facts constituting the necessity shall be set forth in one section of

1 the bill. In each house the section and the bill shall be passed
2 separately, each by rollcall vote entered in the journal, ~~two-thirds~~
3 *two-thirds* of the membership concurring. An urgency statute may
4 not create or abolish any office or change the salary, term, or duties
5 of any office, or grant any franchise or special privilege, or create
6 any vested right or interest.

7 *(e) A Member of the Legislature may introduce not more than*
8 *10 bills during a regular session and not more than five bills during*
9 *a special session. These limits do not apply to the introduction of*
10 *a constitutional amendment or resolution, or to a bill introduced*
11 *by a committee.*